

Article - Natural Resources

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§8-1813.

(a) From June 1, 1984 with regard to any subdivision plat approval or approval of a zoning amendment, variance, special exception, conditional use permit, or use of a floating zone, affecting any land or water area located within the initial planning area identified in § 8-1807(a) of this subtitle, for which application is completed after that date, the approving authority of the local jurisdiction in rendering its decision to approve an application shall make specific findings that:

(1) The proposed development will minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands; and

(2) The applicant has identified fish, wildlife, and plant habitat which may be adversely affected by the proposed development and has designed the development so as to protect those identified habitats whose loss would substantially diminish the continued ability of populations of affected species to sustain themselves.

(b) On or after June 1, 2002, with regard to any subdivision plat approval or approval of a zoning amendment, variance, special exception, conditional use permit, or use of a floating zone, affecting any land or water area located within the initial planning area identified in § 8-1807(b) of this subtitle, for which application is completed after that date, the approving authority of the local jurisdiction in rendering its decision to approve an application shall make specific findings that:

(1) The proposed development will minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands; and

(2) The applicant has identified fish, wildlife, and plant habitat which may be adversely affected by the proposed development and has designed the development so as to protect those identified habitats whose loss would substantially diminish the continued ability of populations of affected species to sustain themselves.

(c) With regard to any application for project approval described in subsection (a) or (b) of this section, a local approving authority shall require any additional information from an applicant as is necessary in order to make the findings required by subsection (a) or (b) of this section.

(d) This section shall remain in effect in a local jurisdiction until such time as an approved program becomes effective.

(e) This section does not apply to any application in the Chesapeake Bay Critical Area initially filed prior to March 1, 1984 or any application in the Atlantic Coastal Bays Critical Area filed prior to June 1, 2002.

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